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June 13, 2025

VIA ECF

Hon. Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hector De Jesus Cruz Reyes v. La Casa Del Mofongo 207 LLC, et al.*
Docket No.: 22-cv-07956 (PAE) (OTW)

Dear Judge Wang:

This firm represents all eleven Plaintiffs against Defendants La Casa Del Mofongo 207 LLC and Avi Dishy in this matter, which alleges claims under the Fair Labor Standards Act and New York Labor Law (“NYLL”). Your Honor entered an order directing the parties to submit a status report today regarding the parties’ positions regarding settlement. Since the parties’ pre-settlement conference call on May 28, 2025, the parties have agreed to engage in private mediation with Joseph DeBenedetto, Esq. as their mediator. The parties are now in the process of scheduling their mediation, which appears likely to occur sometime during mid-August 2025.

Additionally, the parties seek a stay of the remaining discovery and case management deadlines while the parties complete their mediation. Specifically, the parties intend to continue to exchange and finalize all necessary written and document discovery prior to mediation. However, to complete discovery, the parties face a litany of time consuming and costly depositions, including depositions of the eleven named Plaintiffs, a corporate representative for Defendant La Casa Del Mofongo 207 LLC, individual Defendant Avi Dishy, certain managers for Defendants, and likely non-party witnesses. The parties believe their mediation would be more productive if the parties focused the time and financial resources preparing for the parties’ anticipated mediation and putting those funds towards a potential settlement, as well as conserving the resources of the Court during this process.

Accordingly, Plaintiffs jointly request, on behalf of all parties, that the remaining discovery and case management deadlines (i.e. deadlines to complete depositions, fact discovery, and to prepare this matter as trial ready) be stayed until after the parties engage in their private mediation. This is the parties’ first request for the relief sought herein.

Alternatively, in the event that the Court is not inclined to grant Plaintiffs’ primary relief, Plaintiffs jointly request, on behalf of all parties, an extension of approximately three

months after the parties' mediation for the parties' deadline to complete depositions and corresponding extensions of the other remaining discovery and case management deadlines in order to permit the parties to complete the remaining depositions after mediation. Accordingly, as alternative relief, the parties jointly request that the remaining deadlines be extended as follows: (i) deadline to complete depositions be extended from June 16, 2025 until on or before November 30, 2025; (ii) deadline to complete fact discovery be extended from July 25, 2025 until January 16, 2025; and (iii) and the deadline for this matter to be trial ready be extended from October 24, 2025 until April 30, 2026. This is the parties' first request for the relief sought herein.

The parties thank the Court for its kind consideration of this request.

Respectfully submitted,

/S/ David D. Barnhorn, Esq.
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record

Application **GRANTED**. All discovery deadlines are hereby **STAYED**.

The parties are directed to file a joint status letter by **August 29, 2025**, and each month thereafter while mediation continues, apprising the Court on the status of mediation.

SO ORDERED.



Ona T. Wang
U.S.M.J. 6/18/2025